

**Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
The Library of Congress**

In the Matter of:

Determination of Rates and Terms for  
Making and Distributing Phonorecords  
(Phonorecords III)

Docket No. 16–CRB–0003–PR (2018–2022)

**SUPPLEMENTARY FILING TO JOINT MOTION TO ADOPT PROTECTIVE ORDER**

The undersigned participants hereby respectfully submit this supplementary filing in connection with the Joint Motion to Adopt Protective Order, filed on June 21, 2016 (“Protective Order Motion”).

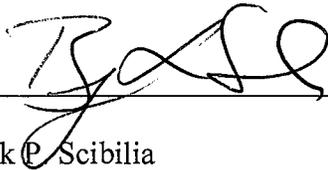
The undersigned Participants wish first to notify the Judges that they have engaged in multiple conferences concerning discovery and have agreed, *inter alia*, pursuant to the Judges’ Case Scheduling Order of February 19, 2016 which set out a preliminary disclosure and discovery period, to endeavor to begin document productions to each other on July 14, 2016, in response to document requests exchanged during June 2016. However, such document productions are contingent on the adoption of a protective order by the Judges to protect the confidentiality of information to be exchanged.

Furthermore, the Participants now anticipate the production of relevant documents from non-Participants pursuant to negotiated consents. However, such non-Participant productions are also contingent on the adoption of a protective order by the Judges that also provides for the protection of the confidentiality of information to be provided by such non-Participants. As a

result, the undersigned Participants thus request that, in addition to the adoption of the Protective Order annexed as Exhibit A to the Protective Order Motion, the Judges adopt the attached addendum, attached as Exhibit 1.

Dated: July 11, 2016

Respectfully submitted,

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# **EXHIBIT 1**

**Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
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In the Matter of:

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Docket No. 16–CRB–0003–PR (2018–2022)

**ADDENDUM TO PROTECTIVE ORDER**

The definition of the term “Producing Participant” in the Protective Order issued on \_\_\_\_\_, 2016 shall include within it any entity, whether a Participant or not, who produces documents in connection with this proceeding, whether by subpoena or consent (“Producer”), and any Producer may designate documents that it produces as Restricted in accordance with the terms of the Protective Order, and such documents shall be subject to all of the terms and protections in the Protective Order. The instruction in Section V of the Protective Order that Participants should not withhold from production responsive document on the grounds that they are subject to confidentiality provisions in private agreements shall apply to all Producers.

**SO ORDERED.**

\_\_\_\_\_  
**Suzanne M. Barnett**  
**Chief Copyright Royalty Judge**

**DATED:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2016, I caused a true and correct copy of the **Supplementary Filing to Joint Motion to Adopt Protective Order** to be served on the individuals and entities identified in the below-attached Service List via overnight express mail and/or by e-mail.

Participants marked with two asterisks have expressly requested to be served solely via e-mail, with no hard copy to follow.

All other participants have been via overnight express mail, pursuant to 37 CFR § 350.4(h).

By:

  
Benjamin K. Semel

**Service List**

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